

ASSEMBLY BILL

No. 763

Introduced by Assembly Member Tran

February 18, 2005

An act to add Section 1091.6 to the Government Code, relating to public agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 763, as introduced, Tran. Conflict of interests: juvenile justice coordinating councils.

Existing law provides that a county is eligible for the award of grants to reduce juvenile crime and delinquency on the condition that the county establishes a juvenile justice coordinating council. The council is required to include specified public officials and other representatives of nonpublic entities and to develop a comprehensive plan for preventing and responding to juvenile crime.

Existing law prohibits public officers and employees from being financially interested in any contract made by them in their official capacity or by any body or board of which they are members.

This bill would provide that this prohibition on public officers and employees shall not apply to any public official required to serve on a juvenile justice coordinating council and shall not apply to any member of a juvenile justice coordinating council who represents a nonpublic entity when specified conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1091.6 is added to the Government
2 Code, to read:
3 1091.6. (a) Notwithstanding any other provision of law,
4 Section 1090 shall not apply to any county official who is
5 required to serve on a juvenile justice coordinating council
6 created pursuant to Section 749.22 of the Welfare and
7 Institutions Code.
8 (b) With respect to any member of a juvenile justice
9 coordinating council who represents a nonpublic entity, Section
10 1090 shall not apply to any contract or grant made by the council
11 except where both of the following conditions are met:
12 (1) The contract or grant directly relates to services to be
13 provided by the member or the entity the member represents or
14 financially benefits the member or the entity he or she represents.
15 (2) The member fails to recuse himself or herself from
16 making, participating in making, or in any way attempting to use
17 his or her official position to influence a decision on the contract
18 or grant.

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